



06-07-02

MP/18

EXPRESS MAIL NO. EV064838755US

PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box → ☒

Approved for use through 10/31/2002: OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**(To be used for all correspondence  
after initial filing)


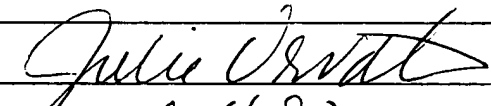
Application Number	10/079,137
Filing Date	February 20, 2002
First Named Inventor	Tony N. Frudakis
Group Art Unit	1631
Examiner Name	
Attorney Docket No.	210121.419C13

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> <b>Fee Transmittal Form</b> <input checked="" type="checkbox"/> <b>Fee Attached</b> <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> <b>Response to Missing Parts under 37 C.F.R. 1.52 or 1.53</b> <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> <b>Power of Attorney, Revocation, Change of Correspondence Address</b> <input checked="" type="checkbox"/> <b>Declaration</b> <input checked="" type="checkbox"/> <b>Statement under 37 CFR 3.73(b)</b> <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> CD(s), Number of CD(s) _____ <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> <b>Return Receipt Postcard</b> <input checked="" type="checkbox"/> <b>Additional Enclosure(s) (please identify below):</b> <u>Copy of Assignment</u> <u>Copy of Notice to File Missing Parts</u> <u>Declaration re: Sequence Listing</u> <u>Replacement CRF Sequence Listing</u> <u>Supplemental ADS</u>
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Remarks

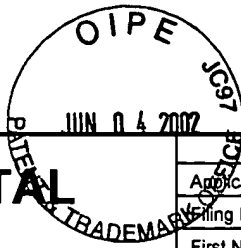
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Individual Name	Julie A. Urvater, Ph.D., Patent Agent Registration No. 50,461	 <b>00500</b> PATENT TRADEMARK OFFICE
Signature		
Date	6.4.02	

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date specified below.

Typed or printed name		
Signature		Date:



EXPRESS MAIL NO. EV064838755US

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT (\$)** **870.00****Complete if Known**

Application Number	10/079,137
Filing Date	February 20, 2002
First Named Inventor	Tony N. Frudakis
Examiner Name	
Group Art Unit	1631
Attorney Docket No.	210121.419C13

**METHOD OF PAYMENT**

☒ Payment Enclosed:  
☒ Check ☐ Credit card ☐ Money Order ☐ Other

☐ Deposit Account:  
Deposit Account Number **19-1090**  
Deposit Account Name **Seed Intellectual Property Law Group PLLC**

The Commissioner is authorized to (check all that apply)  
☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any deficiencies to the above-identified deposit account.

☐ Applicant claims small entity status. See 37 CFR 1.27.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	740
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 740)

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims			
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 130)

**SUBMITTED BY**Name (Print/Type) **Julie A. Urvater, Ph.D.**Registration No. **50,461**  
Attorney/Agent)Firm Name/  
Address

Signature

Date

6-4-02



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PATENT TRADEMARK OFFICE



EXPRESS MAIL NO. EV064838755US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Tony N. Frudakis *et al.*  
Application No. : 10/079,137  
Filed : February 20, 2002  
For : COMPOSITIONS AND METHODS FOR THE THERAPY AND  
DIAGNOSIS OF BREAST CANCER

Art Unit : 1631  
Docket No. : 210121.419C13  
Date : June 4, 2002

Box Missing Parts  
Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, Virginia 22202-0327

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Commissioner for Patents:

In response to the Notice to File Missing Parts dated April 16, 2002, please find enclosed the following documents:

  X   Fee  
  X   Oath/Declaration  
  X   Copy of Notice to File Missing Parts  
  X   Sequence Response: Substitute CRF and Declaration

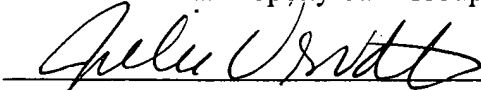


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PATENT TRADEMARK OFFICE

Respectfully submitted,

Seed Intellectual Property Law Group PLLC

  
Julie A. Urvater, Ph.D., Patent Agent  
Registration No. 50,461

289275



## UNITED STATES PATENT AND TRADEMARK OFFICE

Express Mail EV064838755US

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/079,137	02/20/2002	Tony N. Frudakis	210121.419C13

CONFIRMATION NO. 7756

## FORMALITIES LETTER



\*OC000000007871771\*

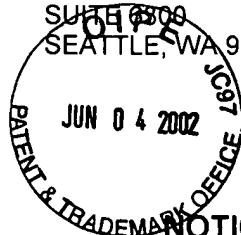
00500

SEED INTELLECTUAL PROPERTY LAW GROUP PLLC

701 FIFTH AVE

SUITE 800

SEATTLE, WA 98104-7092



Date Mailed: 04/16/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 870.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

06/12/2002 NHOHAMM1 00000035 10079137

01 FC:101 740.00 OP  
02 FC:105 130.00 OP

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*A copy of this notice MUST be returned with the reply.*

A handwritten signature in black ink, consisting of a stylized 'S' followed by a long horizontal stroke.

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY